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January 14, 2019

**VIA ECF**

The Honorable Anne Y. Shields  
United States Magistrate Judge  
United States Federal Courthouse  
100 Federal Plaza, Courtroom 830  
Central Islip, New York 11722

**Re: Ortega, et al. v. Bracco's Clam & Oyster Bar, Inc., et al.  
Case No.: 17-cv-6189 (JFB)(AYS)**

Dear Judge Shields:

This firm represents Plaintiffs Jann Ortega and Widman Sanchez in the above referenced matter. We write to request an extension of the fact discovery deadline, which is currently January 16, 2019. As of this writing, Defendants have not yet responded to Plaintiff's paper discovery requests served in October 2018. Pursuant to the Federal Rules of Civil Procedure and the Local Rules of the Eastern District of New York, the parties have conferred in an effort to avoid court intervention and Defendants have stated that they will produce responses by January 18, 2019.

Therefore, we respectfully request that the Court extend the deadline for the completion of fact discovery to April 1, 2019, which is the current date for the completion of all discovery. Unfortunately, depositions have been held in abeyance pending the receipt of Defendants' discovery responses. Thus, this extension will allow the parties time to conduct depositions and complete any necessary follow-up discovery. The proposed extension will not affect any other deadlines as the parties will conduct any expert discovery in parallel with the remaining fact discovery. This is Plaintiffs' first request for an extension of the discovery schedule and Defendants consent to this request.

We thank the Court for its time and consideration in this matter.

Respectfully submitted,

**FRANK & BOLAND, P.C.**

/s/Joseph Myers  
Joseph Myers, Esq.

cc: Steven Horowitz, Esq.  
*Attorney for Defendants*